

ANNEX B – ORGANIZATIONAL CONFLICT OF INTEREST (OCI) MITIGATION PLAN CHECKLIST

SMC ORGANIZATIONAL CONFLICT OF INTEREST MITIGATION PLAN CHECKLIST (MODIFIED)

May 2015

| | |
|--|-----------------------|
| Participant | Agreement/RFP Number: |
| The participant shall enter the page and line numbers from their OCI Mitigation Plan corresponding to each requirement listed on this form, and submit the completed form to the Agreements Officer (AO) along with each new and revised OCI Mitigation Plan. If subcontractor or other teammate OCI Mitigation Plan(s) is submitted, each Plan shall include a completed checklist. Mark items that are not applicable “N/A.” | |

| 1.0 | General Considerations | Page/Line |
|-----|--|-----------|
| 1.1 | Clear statement of corporate commitment and sensitivity of OCI for this acquisition. | |
| 1.2 | Plan signed by senior corporate official Vice President of above. | |
| 1.3 | Corporate commitment to certify annual compliance with OCI Plan. | |
| 1.4 | Description of business unit performing agreement/contract effort position within corporate structure clearly explained. | |
| 1.5 | Parent organization chart is included in the Plan. | |
| 1.6 | Performing business unit (division, sector, subsidiary, affiliate, etc.) organization chart is included in the Plan. | |
| 2.0 | Definitions | |
| 2.1 | Definitions of all terms used are included in the Plan. | |
| 2.2 | Identification of any definitions, from solicitation/agreement article OCI Provision, altered, added or deleted is described in the Plan with rationale for deviation. | |
| 2.3 | Definitions of all acronyms used in the Plan are included. | |
| 3.0 | Description of the OCI Situation | |
| 3.1 | Description of OCI situation(s)/role(s) included in Plan. | |
| 3.2 | All actual or potential OCI described in the Plan. | |
| 3.3 | OCI situations are identified by contract/agreement number and customer. | |
| 3.4 | Plan contains detailed explanation of the factors that place the participant in an OCI situation. | |
| 3.5 | Plan identifies if subcontractors or other teammates have OCI situation. | |
| 3.6 | Plan identifies subcontractor or other teammate OCI Mitigation Plans. | |
| 3.7 | Subcontractor or other teammate OCI Mitigation Plans are attached to prime Plan. | |
| 4.0 | Management of OCI Mitigation Plan | |
| 4.1 | Individual responsible for oversight and administration of the Plan is identified by name and place in company/business unit organizational structure. | |
| 4.2 | Individual responsible for maintaining documentation related to Plan is identified by name and place in company/business unit organizational structure. | |
| 4.3 | Plan identifies location where Plan documentation is maintained and the location is easily accessible by the Government Agreements Officer or auditor. | |
| 4.4 | Corporate OCI-related policies and procedures are identified. | |

| | | |
|-------|---|--|
| 4.5 | Any corporate policies and procedures referenced in the instant Plan are in writing and attached to the Plan. | |
| 4.6 | Processes and procedures to execute the Plan are in place to effectively execute the Plan. | |
| 4.7 | Processes and procedures to execute the Plan are clearly described in the Plan. | |
| 4.7.1 | Process for advance notification to Government AO of addition, deletion, or change to Plan team members is described and complies with agreement article OCI provision. | |
| 4.7.2 | Process for timely notification to Government AO of OCI Plan violation or appearance of violation is described and complies with agreement article OCI provision. | |
| 4.7.3 | If OCI is one of bias or impaired objectivity, plan includes more than firewalls or methods for protection of data. Process for de-conflicting agreement data submittals to mitigate impaired objectivity or bias is described and complies with agreement article OCI provision or methods are described. For example: assignment of work to non-conflicted subcontractors (along with how such subcontractors are to be managed); or independent review of work product to insure it is free from bias or impaired objectivity. | |
| 4.8 | Plan describes how organizational separation will be used as an OCI mitigation tool. | |
| 4.9 | Cost Accounting Standards disclosure statements are in place. | |
| 4.10 | Cost estimating systems and cost collection systems are in place. | |
| 4.11 | The business unit for this agreement action has provisional billing rates and separate labor rate structures in place. | |
| 4.12 | Plan describes how physical/geographic separation will be used as an OCI mitigation tool. | |
| 4.13 | Physical workspace separation with controlled access areas is used in addition to separation provided within the program areas where sensitive information is involved. | |
| 4.14 | Badge accesses are used for separation and control. | |
| 4.15 | Data separation and protection processes and procedures are in place. | |
| 4.16 | Separate computers and networks are maintained with adequate firewalls to preclude data from being accessed outside program/project channels. | |
| 4.17 | Government-approved electronic isolation is used (e.g. restricted access on shared drives) | |
| 4.18 | Electronic data is sufficiently password-protected among all personnel to preclude inadvertent release of sensitive information. | |
| 4.19 | Plan requires obtaining consent from other Participants prior to releasing their proprietary information for legitimate program purposes. | |
| 4.20 | Access lists are used to document those with restricted access to potential OCI material and information. | |
| 4.21 | Plan describes the process for ensuring access lists are current and accurate. | |
| 4.22 | Release and approval procedures are in place to preclude release of either hardcopy or softcopy information (including email) without prior approval and screening. | |
| 4.23 | Plan describes the person to approve release of hardcopy or softcopy information and their placement in the program/participant organization. | |

| | | |
|------|--|--|
| 4.24 | Document marking procedures are clearly described to control program/project reports and products, as well as sensitive information of the Government or other participants. | |
| 4.25 | Storage containers and procedures are described for safeguarding program/project material and sensitive information of the Government or other Participants. | |

| | | |
|------------|---|--|
| 5.0 | Management of Personnel | |
| 5.1 | Plan meets the minimum employment restrictions contained in the solicitation/agreement article OCI provision. | |
| 5.2 | Employment restrictions apply, as a minimum, to classes of employees as described in the solicitation/agreement article OCI provision. | |
| 5.3 | Any deviation from the employment restrictions described in the solicitation/agreement is clearly indicated in the Plan with rationale and alternative mitigation techniques. | |
| 5.4 | Personnel policies mitigate rotation of personnel on new tasks to avoid biased judgment or impaired objectivity. | |
| 5.5 | Corporate policies on assignment of personnel to mitigate OCI are described in the Plan and attached to the Plan. | |
| 5.6 | Employee transfers are limited to preclude the inadvertent flow of sensitive information to competing part of the company where inside information could be used inappropriately. | |
| 5.7 | OCI training and awareness briefings of all personnel working on the program/project are identified in the Plan. | |
| 5.8 | Persons or classes of persons working on the program/project not subject to OCI training and awareness briefings is identified in the Plan with rationale and description of alternate OCI mitigation techniques. | |
| 5.9 | Plan describes frequency of training and awareness briefings (not less than annually). | |
| 5.10 | Plan describes how training completion is documented and where maintained. | |
| 5.11 | Plan describes requirements for program/project personnel to execute Non-Disclosure Agreements (NDA) to protect proprietary and other sensitive information. | |
| | Plan describes process for determining personal conflicts of interest of individuals. | |
| 5.12 | Plan describes requirements for debriefing personnel who executed NDAs upon transfer, reassignment, change of employers, or retirement. | |
| 5.13 | NDAs require protection of information in perpetuity or for some designated period. | |
| | NDA remains in effect from the date of signature until two years after completion of participation on the developmental effort. | |
| 5.14 | Plan describes how personnel involvement in Government source selection activities is restricted when parts of the parent company are competing in OCI-impacted efforts. | |
| 5.15 | Plan describes how personnel are disciplined for non-compliance with the Plan. | |
| 5.16 | Plan description of discipline for non-compliance with the Plan is sufficient to clarify the stratification in discipline commensurate with the severity of the offense. | |
| 5.17 | Plan specifies how and where disciplinary actions are documented. | |
| 6.0 | OCI Mitigation Plan Reviews | |
| 6.1 | Plan provides for corporation oversight and audit of OCI processes and procedures. | |
| 6.2 | Plan specifies frequency of corporate audits. | |

| | | |
|-----|---|--|
| 6.3 | Plan requires annual certification of compliance with the terms of the Plan, signed by a senior corporate official Vice President or above. | |
| 6.4 | Plan specifies where Plan certification documentation is maintained. | |

DRAFT